



Field
Advisory
Services

REFERENCE GUIDE

PT-4

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For Additional Information: 703-325-3004 or DSN 221-3004

IN LIEU OF HOLIDAYS under section 6103(b)(2) of title 5, United States Code, and Executive Order 11582

With the sunset of Chapter 610 of the Federal Personnel Manual, the guidance provided in Subchapter 4, "Alternative Work Schedules," concerning in lieu of holidays is no longer applicable or appropriate. Therefore, agencies must follow the strict reading of the law and the Executive Order to designate in lieu of holidays for employees covered by alternative work schedules.

Determining Holidays **Under Alternative Work Schedules**

1. When a holiday falls on a day that an employee is regularly scheduled to work under either a compressed or flexible work schedule, the scheduled workday is the employee's holiday.
 - a. If the employee is covered by a compressed work schedule, the employee's holiday will comprise the number of hours the employee is regularly scheduled to work that day.
 - b. If the employee is covered by a flexible work schedule, the employee's holiday will comprise 8 hours.
 - c. An employee who is required to work on a regularly scheduled workday that is a holiday receives holiday premium pay for working on the holiday and is not entitled to an in lieu of holiday.
 - (1) If the employee is covered by a compressed work schedule, the employee is entitled to holiday premium pay for the number of hours he or she is regularly scheduled to work that day.
 - (2) If the employee is covered by a flexible work schedule, the employee is entitled to holiday premium pay for 8 hours.
2. When a holiday falls on a nonworkday for an employee covered by a compressed work schedule and:
 - a. The holiday falls on Sunday, the first regularly scheduled workday following the Sunday-holiday is the employee's in lieu of holiday.
 - b. The holiday is not a Sunday, the last regularly scheduled workday preceding the holiday is the employee's in lieu of holiday.

PT-4, In Lieu of Holidays under 5 USC 6103(b)(2) and E.O. 11582

For example:

If the employee is regularly scheduled to work Tuesday through Friday and Sunday is a holiday, the employee's in lieu of holiday will be the following Tuesday. (See rule 2.a.)

If the employee is regularly scheduled to work Tuesday through Friday and Monday is a holiday, the employee's in lieu of holiday will be the preceding Friday. (See rule 2. b.)

3. When a holiday falls on a nonworkday for an employee covered by a flexible work schedule, excluding a flexitime schedule, and:

- a.** The employee's day off is the same day as the holiday, that day is the employee's holiday, and no in lieu of day will be designated. Instead, the employee must chose another day off following the agency's rules for administering its flexible work schedule.
- b.** The holiday falls on Sunday, the first regularly scheduled workday following the Sunday-holiday is the employee's in lieu of holiday.
- c.** The holiday is not a Sunday, the last regularly scheduled workday preceding the holiday is the employee's in lieu of holiday.

For example:

An employee's administrative workweek is Monday through Friday. The employee has chosen to take Friday off, but the holiday falls on Friday. The Friday is the employee's holiday. The employee must chose another day off under the agency's rules for administering its flexible work schedule. (See rule 3.a.)

An employee's administrative workweek is Monday through Friday. A holiday falls on Sunday, so the employee's in lieu of holiday is the following Monday. (See rule 3.b.)

An employee's administrative workweek is Thursday through Monday; Tuesday and Wednesday are nonworkdays. A holiday falls on Wednesday, so the employee's in lieu of holiday is the preceding Monday. (See rule 3.c.)

Note: Agencies may have a policy designating in lieu of Sundays for employees who are regularly scheduled to work on Sunday. When such a policy exists, if a holiday falls on an employee's designated in lieu of Sunday, the employee's in lieu of holiday will be the first regularly scheduled workday following the designated in lieu of Sunday.

For example:

An employee's administrative workweek is Thursday through Monday; Tuesday and Wednesday are nonworkdays. The agency has a policy designating Wednesday as the employee's in lieu of Sunday. A holiday falls on Wednesday, so the employee's in lieu of holiday is the following Thursday.